

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CHRISTOPHER M. PAYNE,

Plaintiff,

vs.

KEAGAN GEER, in his individual
capacity; and DEMETRIA HERMAN,
in her individual capacity;

Defendants.

8:23CV427

MEMORANDUM AND ORDER

Before the Court is a motion filed by defendant Demetria Herman (“Herman”) seeking an extension of time to file an answer to the Complaint and leave to file her Answer (the “Motion”). Filing No. 23. In support Herman argues that despite the “Process Receipt and Return” indicating Herman was served with the Complaint on November 8, 2024 (the “Return of Service”), *see* Filing No. 17, she did not receive notice of service until her counsel noticed the Return of Service while reviewing the docket in this case, Filing No. 23 at 1. Herman also submits her proposed answer with her Motion. *Id.* at 4–7.

Good cause having been shown, IT IS THEREFORE ORDERED:

1. Herman’s Motion seeking an extension of time to file her answer and leave to file her proposed answer, Filing No. 23, is granted. Herman shall have until **February 12, 2025**, to file her answer.

2. As Herman has been granted additional time to file an answer, the prior order of this Court ordering Plaintiff to file a motion for default judgment against Defendant Herman, Filing No. 21, is vacated. As such, Plaintiff is no longer required to file a motion for default judgment against Defendant

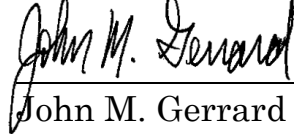
Herman and any motion for default judgment filed by Plaintiff in response to this Court's prior order at Filing No. 21 shall be stricken.

3. The Clerk of Court shall terminate the **February 24, 2025**, deadline for Plaintiff to file a motion for default judgment against Defendant Herman.

4. The Clerk of Court is further directed to set a pro se case management deadline using the following text: **February 12, 2025**: deadline for Defendant Herman to file an answer.

Dated this 10th day of February, 2025.

BY THE COURT:

A handwritten signature in black ink, appearing to read "John M. Gerrard", is written over a horizontal line.

John M. Gerrard
Senior U.S. District Court Judge